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FEB 09 2005

Docket: 6970.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Jeffrey K. Drogue	
Appln. No.:	10/628,588	
Filing Date:	July 28, 2003	Examiner: Not Yet Known
Title:	FLUID AND BIOAEROSOL MANAGEMENT	Group Art Unit: 3761

**REQUEST FOR RECONSIDERATION OF PETITION
UNDER 37 CFR § 1.47(a)**

Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Request for Reconsideration is submitted in response to a Decision Refusing Status under 37 CFR 1.47(a), mailed August 16, 2004, and pursuant to a February 8, 2005 telephone conversation with the Petitions Examiner.

Background

On February 18, 2004 the Applicants filed a Petition under 37 CFR 1.47(a) because one of the named inventors, Jeffrey K. Drogue ("Drogue"), refused to join in the application. The Office dismissed the Petition on the basis that Applicants failed to show Drogue was presented with a copy of the application papers.

Request

In view of the evidence submitted herewith, and the evidence previously submitted with the Petition, Applicants request reconsideration of the Decision Refusing Status and grant of the Petition.

Application Number: 10/628,588

Docket: 6970.02

Evidence

Enclosed herewith is a copy of a letter to Drogue, with a copy of the envelope showing his last known address showing that it was sent via U.S. Certified Mail on February 9, 2005. As stated in the letter, it was accompanied by the application papers (specification, claims and drawings) for the above-identified application. A Declaration and Assignment were also enclosed.


Fee

It is believed no fees are due in connection with this conversation of the Petition Under § 1.47 (a). However, a petition to extend the time to respond is submitted herewith, along with the requisite fee. The Office is also hereby authorized to charge any fees associated with this communication to Deposit Account No. 04-1420.

Conclusion

In light of the evidence submitted herewith, and the evidence submitted with the Petition, Applicants respectfully request reconsideration of the Decision Refusing Status and grant of the Petition Under § 1.47(a). The Office is invited to telephone the undersigned if doing so will facilitate reconsideration and grant.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763By: 
David E. Bruhn
Reg. No. 36,762
Intellectual Property Department
Suite 1500
50 South Sixth Street
Minneapolis, MN 55402-1498
(612) 340-6317

Date: February 9, 2005



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February 9, 2005

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Jeffrey K. Drogue
5117 Washburn Avenue South
Minneapolis, Minnesota 55410

Re: U.S. Patent Application of Jeffrey K. Drogue et al.
Title: **Fluid And Bioaerosol Management**
Appl. No.: 10/628,588
Filing Date: July 28, 2003
Our Dkt. No.: 6970.02

Dear Jeff:

On behalf of JLJ, I have enclosed a copy of the application papers (specification, claims and drawings) for the above-identified patent application, which, as you know, is pending in the Patent Office.

Also enclosed for your signature is a Declaration, and an Assignment (confirming your duty to assign the application to JLJ). Please review the application papers, and sign the Declaration and Assignment where indicated. Please return the signed documents to me so we can submit them to the Patent Office.

If you have any questions, please feel free to contact me. Otherwise, I look forward to receiving the executed documents at your earliest convenience.

Sincerely,

David E. Bruhn

DEB/smn

Enclosure (3)

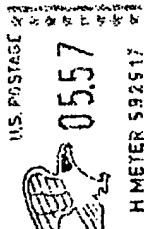
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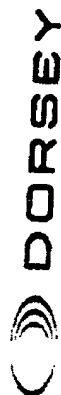
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